

APR-05-2006 09:18 From:GSK

919 483 7977

To:USPTO

P.8/18

Docket No.: PG4979

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"PHENETHANOLAMINE DERIVATIVE FOR THE TREATMENT OF RESPIRATORY DISEASES"

the specification of which (check one)

☐ is attached hereto.

☒ was filed on 24-Oct-2003 as Serial No. PCT/EP2003/012035

and was amended on

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number	Country	Filing Date	Priority Claimed
0225028.0	GB	28-Oct-2002	YES
0225022.3	GB	28-Oct-2002	YES

I hereby claim the benefit under Title 35, United States Code, Section 119(c) of any United States provisional application(s) listed below.

Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No.	Filing Date	Status
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Direct all correspondence to the address associated with Customer Number 23347.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

100 Full Name of Inventor: Alan Michael CHAPMAN

Inventor's Signature: 

Date: 17-May-2005

Residence: Tonbridge, Kent, GB CBX

Citizenship: British

Post Office Address: GlaxoSmithKline
Corporate Intellectual Property
Five Moore Drive, P O Box 13398
Research Triangle Park
North Carolina 27709

APR-05-2006 09:19 From: GSK

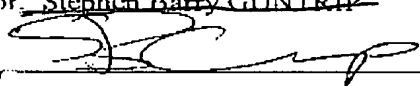
919 483 7977

To: USPTO

P. 10/18

100

Full Name of Inventor: ~~Stephen Barry GUNTRIP~~

Inventor's Signature: 

Date: 4/5/05

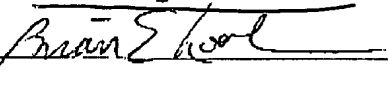
Residence: Stevenage, Hertfordshire, GB CBX

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Post Office Address: GlaxoSmithKline
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Five Moore Drive, P O Box 13398
Research Triangle Park
North Carolina 27709

300

Full Name of Inventor: Brian Edgar LOOKER

Inventor's Signature: 

Date: 4 May 2005

Residence: Stevenage, Hertfordshire, GB CBX

Citizenship: British

Post Office Address: GlaxoSmithKline
Corporate Intellectual Property
Five Moore Drive, P O Box 13398
Research Triangle Park
North Carolina 27709

H20

Full Name of Inventor: Panayiotis Alexandrou PROCOPIOU

Inventor's Signature: *P. Procopiou*

Date: 4th May 2005

Residence: Stevenage, Hertfordshire, GB *CoBK*

Citizenship: British

Post Office Address: GlaxoSmithKline
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North Carolina 27709

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P.12/18

PTO/SB/81 (06-04)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office: US DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	PCT/EP2003/012035
	Filing Date	24-Oct-2003
	First Named Inventor	Alan Michael CHAPMAN
	Title	PHENETHANOLAMINE DERIVATIVE FOR THE TREATMENT OF RESPIRATORY DISEASES
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PG4979

I hereby appoint:

☒ Practitioners associated with the Customer Numbers. 23347

Or

☐ Practitioner(s) named below:

Name	Registration Number
As my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.	

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

Or

☒ The address associated with Customer Number 23347

Or

☐ Firm or Individual Name:

Address:	
Address:	
City:	State: Zip:
Country:	
Telephone:	Fax:

I am the:

☐ Applicant/Inventor:

☒ Assignee or record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature:	Date: 11 MAY 2005
Name: Peter John GIBBINGS	Telephone: +44 20 8047 4414
Title and Company: Attorney and Authorised Official, Glaxo Group Limited	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of: forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is essential to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box

PTO/SB/81 (06-04)

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Glaxo Group Limited

International Application No./Patent No PCT/EP2003/012035 Filed/Issue Date: 24-Oct-2003

Entitled: PHENETHANOLAMINE DERIVATIVE FOR THE TREATMENT OF RESPIRATORY DISEASES

Glaxo Group Limited, a corporation, states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ % in the patent application/patent identified above by virtue of either;
- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 16392, Frame 0071, or for which copy thereof is attached.
- OR
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:
- | |
|---|
| 1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached. |
| 2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached. |
| 3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached. |
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.
- [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

11 MAY 2005

Date

Peter John GIDDINGS

Printed or Typed Name

+44 20 8047 4414

Telephone Number

Attorney and Authorised Official

Title

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is essential to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

no by

88860

John Venn & Sons

Scrivener Notaries
Translators

William B Kennair LL.B. • Jessica M Reeve M.A. • Jonathan P Courts M.A., M.L.

Associate: Agnes Corless

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Telephone: 020 7395 4300

Fax: 020 7395 4310

e-mail: notary@johnvenn.co.uk

http://www.johnvenn.co.uk

I, JESSICA MARGARET REEVE, a duly admitted Notary Public, having jurisdiction throughout England and Wales and practising in London, England, hereby certify:

1. THAT the annexed Power of Attorney was sealed with the Common Seal of **GLAXO GROUP LIMITED**;

2. THAT the affixing of the said Seal was witnessed by LORRAINE ANNE DAY, one of the Directors of EDINBURGH PHARMACEUTICAL INDUSTRIES LIMITED, Corporate Director of GLAXO GROUP LIMITED and RICHARD JAMES STEPHENS, Assistant Secretary of the said GLAXO GROUP LIMITED;

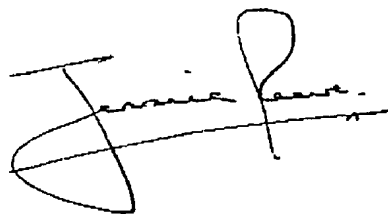
3. THAT the said GLAXO GROUP LIMITED is duly incorporated and existing under English Law, having its Registered Office at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England;

4. THAT the said Seal was affixed in the manner prescribed by the current, duly adopted Articles of Association of the said Company;

5. THAT the said signatures were subscribed by authority of the Directors of the said Company;

6. AND THAT the said Power of Attorney, being so sealed and signed, is duly executed by and binding on the said Company.

IN WITNESS whereof I have issued this Certificate under my signature and Seal of Office at London, aforesaid, the fourth day of March Two thousand and five.



Power of Attorney

BY THIS POWER OF ATTORNEY given this ~~29th~~ day of ~~FEBRUARY~~ two thousand and five GLAXO GROUP LIMITED, a company incorporated in England and Wales (Registration No. 305979) and having its registered office at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, MARCUS J. W. DALTON, PETER I. DOLTON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, HUGH BAINFORDE DAWSON, HELEN QUILLIN, CHARLES KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. MCCARTHY, EDWARD R. GIMMI, CHARLES E. DADSWELL, ROBERT H. BRINK and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sub-licences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
5. To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.
6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent,

-2-

including trademark and patent agents and attorneys, to act on behalf of the Company.

7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.

AND THE COMPANY HEREBY RATIFIES and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

AND THE COMPANY HEREBY DECLARES that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

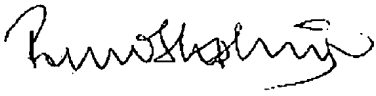
IN WITNESS whereof **GLAXO GROUP LIMITED** has caused its Common Seal to be hereunto affixed the day and year first before written

The **COMMON SEAL** of
GLAXO GROUP LIMITED)
was hereto affixed in the presence of:)

Director

For and on Behalf of
Edinburgh
Pharmaceutical
Industries
Limited

DIRECTOR


Secretary / Assistant Secretary

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO		ATTORNEY'S DOCKET NUMBER	
10/532,869		PCT/EP03/12035		PG4979USw	
23. Other items or information: Statement under 3.73(b) Corporate Resolution (Power of Attorney)					
The following fees have been submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee				\$300	\$0.00
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article				\$0	\$0.00
All other situations.				\$200	
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority.				\$100	\$0.00
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.				\$400	
All other situations.				\$500	
TOTAL OF 24, 25 and 26 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(i)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0	/50 =	0	x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	9	x \$50.00	\$	\$450.00
Independent claims	- 3 =	5	x \$200.00	\$	\$1,000.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>				+ \$360.00	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$1,580.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$1,580.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$1,580.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				+	\$0.00
TOTAL FEES ENCLOSED =				\$	\$1,580.00
06/06/2006 GFREY1 00000164 071392 10532869 01 FC:1617 130.00 DR				Amount to be	\$
				Amount to be	\$